

Erven T. Nelson, Esq.
Nevada Bar #2332
Bolick & Boyer
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*Elecontronically filed
June 19, 2006*

Attorneys for Leo G. Mantas and Others

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

**In re:
USA COMMERCIAL MORTGAGE COMPANY,
Debtor.**

**Case No. BK-S-06-10725 LBR
Case No. BK-S-06 10726 LBR
Case No. BK-S-06 10727 LBR
Case No. BK-S-06-10728 LBR
Case No. BK-S-06-10729 LBR**

**In re:
USA CAPITAL REALTY ADVISORS, LLC,
Debtor.**

**In re:
USA CAPITAL DIVERSIFIED TRUST DEED FUND,
LLC,
Debtor.**

Chapter 11

**In re:
USA CAPITAL FIRST TRUST DEED FUND, LLC,
Debtor.**

**Jointly Administered Under
Case No. BK-S-06-10725 LBR**

**In re:
USA SECURITIES, LLC,
Debtor.**

**STATEMENT OF BOLICK & BOYER PURSUANT
TO BANKRUPTCY RULE 2019
(AFFECTS ALL DEBTORS)**

Affects:
☒ **All Debtors**
☐ **USA Commercial Mortgage Company**
☐ **USA Securities, LLC**
☐ **USA Capital Realty Advisors, LLC**
☐ **USA Capital Diversified Trust Deed Fund, LLC**
☐ **USA First Trust Deed Fund, LLC**

**Hearing Date: N/A
Hearing Time: N/A**

1 I, Erven T. Nelson, Esq., declare, under penalty of perjury, and state, as follows:

2 1. I am an attorney licensed to practice law in the state of Nevada and am a partner in the law firm of
3 Bolick & Boyer. I have personal knowledge of the facts set forth herein and if called as a witness could and
4 would competently testify thereto.

5 2. I am the attorney primarily responsible for representing the following parties in connection with the
6 above captioned cases, as first deed of trust holders only, with regard to certain loans which were originated
7 and serviced by the Debtors:

8 A. Leo G. Mantas
9 2053 Columbus Way
Vista, CA 92081

10 The representation of this client is based on a direct loan he made to borrowers in one or more of
11 various real property development projects currently being serviced by USA Commercial Mortgage Company,
12 namely: Marlton Square, which is secured by a deed of trust. The direct loan was made in August, 2005. The
13 amount of the loan was \$150,000.00.

14 B. Ellyson J. Galloway

15 The representation of this client is based on a direct loan she made to borrowers in one or more of
16 various real property development projects currently being serviced by USA Commercial Mortgage Company,
17 namely: Bundy Canyon Development, LLC, which is secured by a deed of trust. The direct loan was made in
18 August, 2005. The amount of the loan was \$85,000.00.

C. World Links, LLC
 c/o Leo G. Mantas
 7668 El Camino Real, Suite 104-183
 Las Costa, CA 92009

The representation of this client is based on direct loans it made to borrowers in various real property development projects currently being serviced by USA Commercial Mortgage Company which are secured by deeds of trust. The following are the direct loans this client made:

THE GARDENS LLC	\$50,000	08/05
BUNDY CANYON DEVELOPMENT	\$75,000	08/05
FOX HILLS EAST LLC	\$50,000	10/05/05

D. Zawacki, LLC
 P.O. Box 5156
 Bear Valley, CA 95223

The representation of this client is based on direct loans it made to borrowers in various real property development projects currently being serviced by USA Commercial Mortgage Company which are secured by deeds of trust. The following are the direct loans this client made:

BUNDY CANYON	\$189,000	09/29/05
BUNDY CANYON	\$200,000	01/28/05
CLEAR CREEK PLANTATION	\$200,000	03/01/05
GRAMERCY COURT	\$200,000	01/31/05
MARLTON SQUARE	\$ 70,000	06/30/05
PLACER VINEYARDS	\$100,000	12/15/04
PLACER VINEYARDS 2 ND	\$100,000	12/15/04
PRESERVE AT GALLERIA	\$ 50,000	02/09/04
ROAM DEVELOPMENT	\$290,000	03/07/05
STANDARD PROPERTY	\$ 50,000	12/10/06
TAPIA RANCH	\$100,000	10/01/04
OCEAN ATLANTIC	\$ 50,000	02/27/06
UNIVERSAL HAWAII	\$100,000	02/28/06

E. Erven J. Nelson, Trustee and Frankie J. Nelson, Trustee
Erven J. Nelson & Frankie J. Nelson Trust
9032 N. Cheyenne Way
Park City, UT 84098

The representation of this client is based on direct loans it made to borrowers in various real property development projects currently being serviced by USA Commercial Mortgage Company which are secured by deeds of trust. The following are the direct loans this client made:

5252 ORANGE LLC	\$ 50,000	12/29/05
BUNDY CANYON	\$100,000	01/28/05
FOXHILL 216, LLC	\$ 50,000	02/01/06
MARLTON SQUARE	\$100,000	12/07/05
RIVIERA HOMES	\$100,000	05/20/05
ROAM DEVELOPMENT	\$100,000	03/07/05

F. Erven J. Nelson, Trustee
Erven J. Nelson LTD PSP dated 10/31/72
9032 N. Cheyenne Way
Park City, UT 84098

The representation of this client is based on direct loans it made to borrowers in various real property development projects currently being serviced by USA Commercial Mortgage Company which are secured by deeds of trust. The following are the direct loans this client made:

CLEAR CREEK PLANTATION	\$ 75,000	07/26/05
COM VEST CAPITAL	\$ 50,000	12/02/05
DEL VALLE ISLETON	\$100,000	03/28/05
GILROY	\$100,000	11/24/04

G. D.G. Menchetti, Ltd. Pension Plan
P.O. Box 7100
Incline Village, NV 89452

The representation of this client is based on direct loans it made to borrowers in various real property development projects currently being serviced by USA Commercial Mortgage Company which are secured by deeds of trust. The following are the direct loans this client made:

HFA NORTH YONKERS	\$200,000.00	
EAGLE MEADOWS DEVELOPMENT	\$125,000.00	03-24-06

H. David G. Menchetti
P.O. Box 7100
Incline Village, NV 89452

The representation of this client is based on direct loans he made to borrowers in various real property development projects currently being serviced by USA Commercial Mortgage Company which are secured by deeds of trust. The following are the direct loans this client made:

BEASTAR LLC	\$250,000.00	06-05
MARLTON SQUARE	\$250,000.00	07-05
BUNDY CANYON LAND DEVELOPMENT LLC	\$100,,000.00	08-05
BAY POMPAÑO BEACH	\$100,000.00	08-05

3. I am the attorney primarily responsible for representing the following parties in connection with the above captioned cases, as investors in the USA Capital Diversified Trust Deed Fund, LLC (the "Fund"), which made certain loans which were originated and serviced by the Debtors.

A. David G. Menchetti and Forrest Ladd
P.O. Box 7100
Incline Village, NV 89452

The representation of this client is based on two investments he made in the Fund, in the amounts of \$100,000 and \$75,000, designated to USA Capital Account #18590.

USA CAPITAL DIVERSIFIED TRUST FUND	\$100,000	
USA CAPITAL DIVERSIFIED TRUST FUND	\$ 75,000	

B. EVELYN D. ELLIOTT, SURVIVING TRUSTEE AND SURVIVING GRANTOR
OF THE DEAN ELLIOTT AND EVELYN D. ELLIOTT FAMILY TRUST
c/o D.G. Menchetti, Ltd.
P.O. Box 7100
Incline Village, NV 89452

The representation of this client is based on one investment she made in the Fund, in the amount of \$124,528.48, designated to USA Capital Account #9705.

USA CAPITAL DIVERISIFIED TRUST FUND	\$124,528.48	
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C. Elizabeth Rose Garibaldi
c/o D.G. Menchetti, Trust Account
P.O. Box 7100
Incline Village, NV 89452

The representation of this client is based on one investment she made in the Fund, in the amount of \$426,589.26, designated to USA Capital Account #3884.

USA CAPITAL DIVERISIFIED TRUST FUND	\$426,589.26	
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D. D.G. Menchetti, Ltd. Pension Plan
P.O. Box 7100
Incline Village, NV 89452

1 The representation of this client is based on one investment he made in the Fund, in the amount of
2 \$620,780.82, designated to USA Capital Account #3153.

3	USA CAPITAL DIVERISIFIED TRUST FUND	\$620,780.82	01-07-05
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5 4. I filed this Statement as soon as it was feasible, given the complexity of the case and the issues
6 involved herein.

7 5. A supplement shall be filed to this statement once all of the relevant information is available.
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9 Dated: June 16, 2006
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12 /s/ Erven T. Nelson
13 ERVEN T. NELSON
14 Nevada Bar #2332
15 **Bolick & Boyer**
16 6060 W. Elton, Suite A
17 Las Vegas, NV 89107
18 Attorneys for Leo G. Mantas and Others

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